



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

CHANAY et al.

Art Unit: 1638

Application No.: 09/147,721

Examiner: M. Ibrahim

Filed: February 24, 1999

Attorney Dkt. No.: 108172-09005

For: METHOD FOR PHYTOMINING OF NICKEL, COBALT AND
OTHER METALS FROM SOIL

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RESPONSE UNDER 35 U.S.C. 1.111

JAN 15 2003

Commissioner for Patents
Washington, D.C. 20231

January 10, 2003

TECH CENTER 1600/2900

Sir:

This paper is filed in response to the Office Action dated July 10, 2002, in connection with the above-identified application. The period for responding is extended by the attached petition. Applicants respectfully request entry of the following amendments without prejudice.

IN THE CLAIMS:

Please amend claims 13-14 and 16-17 as follows. A marked-up copy of the changes is attached.

13. (Twice Amended) A metal recovery culture, said culture comprising a nickel hyperaccumulating plant of the *Alyssum* genus selected from the group consisting of *A. murale*, *A. pintodasilvae*, *A. malacitanum*, *A. lesbiacum*, *A. fallacinum*, *A. argenteum*, *A. tenium* and *A. heldreichii*, having a concentration of nickel in its above-ground tissues of over 1000 mg per kg gross dry weight of the above-ground tissues, and